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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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JOSEPH COLONE,

Plaintiff,

*versus*

MITCH WOODS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:16-CV-113

**MEMORANDUM OPINION AND ORDER**

Plaintiff, Joseph Colone, a former pre-trial detainee at the Jefferson County Correctional Facility, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against several defendants.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing plaintiff's claims against defendants Gallander, Woods and Werner for failure to serve pursuant to Federal Rule of Civil Procedure 4(m) (docket entry nos. 84 & 85) and granting defendants Cassidy, Eiselstein and Morris' Motion to Dismiss (docket entry no. 86).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.<sup>1</sup>

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<sup>1</sup> Plaintiff received a copy of the Reports and Recommendations on February 25, 2021 (docket entry no. 87) and on March 5, 2021 (docket entry no. 88).

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

SIGNED at Beaumont, Texas, this 23rd day of March, 2021.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE